

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
FILED

APR 05 2000

ROBERT H. SHEMWELL, CLERK  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

JOEL A. MORVANT, SR.,	*	CIVIL ACTION
MONICA MORVANT,	*	
JOEL A. MORVANT, JR., AND	*	NO. 99-1427
RIDGE M. MORVANT	*	
VERSUS	*	SECTION: L-O
L&L SANDBLASTING, INC., and	*	
CXY ENERGY, INC.	*	

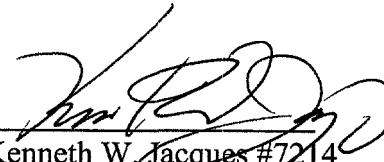
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**STATEMENT OF GENUINE ISSUES FOR TRIAL**

1. Whether the terms of the Master Service Agreement were strictly adhered to by the parties thereto and whether the terms of the agreement are therefore controlling.
2. Whether there was an implied waiver of the independent contractor provisions of the Master Service Agreement.
3. Whether the Master Service Agreement permitted alteration of its provisions other than in writing.
4. Did C&D Production terminate its relationship with the plaintiff, considering the acknowledged fact that C&D continue to pay and train and certify the plaintiff?

5. Does plaintiff's furnishing of his own tools require a finding against borrowed servant status?

Respectfully submitted

  
Kenneth W. Jacques #7214  
203 Carondelet Street, #355  
New Orleans, LA 70130  
Attorney for plaintiff  
504-524-1954

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 31<sup>st</sup> day of March, 2000 served a copy of the foregoing pleading on counsel for all parties to this proceeding by mailing the same by United States mail, properly addressed, and first class postage prepaid.



KENNETH W. JACQUES  
A PROFESSIONAL LAW CORPORATION  
SUITE 355 - MARITIME BLDG.  
203 CARONDELET STREET  
NEW ORLEANS, LOUISIANA 70130

KENNETH W. JACQUES

RECEIVED  
March 31, 2000  
APR 05 2000

(504) 524-1954  
LA 1-800-349-1954  
OUT OF LA 1-800-487-6294  
FACSIMILE (504) 529-1782

ROBERT H. SHEMWEILL, CLERK  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT, LOUISIANA

Clerk of Court  
United States District Court  
Western District  
300 Fannin Street, Room 1100  
Shreveport, Louisiana 71101

**Re: Joel A. Morvant, Sr. v.  
L & L Sandblasting, Inc. and CXY Energy, Inc.  
Your file No. 00551-0585  
USDC/Western District of Louisiana  
Civil Action No. 99-1427, L-O**

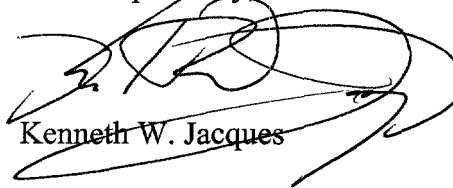
Dear Sirs:

Please find enclosed the original and one(1) copy of plaintiff's **Memorandum in Opposition to CXY Inc.'s Motion for Summary Judgment and Statement of Genuine Issues for Trial**. Please return the copy to me, conformed, in the self-addressed stamped envelope which is enclosed.

WJW

With all best wishes, I remain

Most respectfully,



Kenneth W. Jacques

KWJ/kes  
cc: Hon. Tucker L. Melancon  
United States District Judge  
800 Lafayette St., Suite 4700  
Lafayette, LA 70501 w/ encls.

All counsel w/ encls.